

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

In Re:	§	
	§	
HAMPTON BAY DINER CORP.	§	Case No. 14-75577 RG
	§	
Debtor	§	

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**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY  
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

KENNETH P. SILVERMAN, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

<p>Assets Abandoned: 591,737.63 <i>(Without deducting any secured claims)</i></p>	<p>Assets Exempt: NA</p>
<p>Total Distributions to Claimants: 11,687.31</p>	<p>Claims Discharged Without Payment: NA</p>
<p>Total Expenses of Administration: 7,835.59</p>	

3) Total gross receipts of \$ 19,522.90 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$ 19,522.90 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$ 752,725.99	\$ 746,616.76	\$ 74,130.72	\$ 4,187.31
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	NA	12,556.61	7,835.59	7,835.59
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	NA	83,636.56	83,636.56	0.00
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	504.54	145,857.85	145,857.85	7,500.00
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	428,461.30	1,033,752.12	1,011,107.43	0.00
<b>TOTAL DISBURSEMENTS</b>	\$ 1,181,691.83	\$ 2,022,419.90	\$ 1,322,568.15	\$ 19,522.90

4) This case was originally filed under chapter 11 on 12/17/2014 , and it was converted to chapter 7 on 07/13/2015 . The case was pending for 51 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 10/02/2019 By: /s/KENNETH P. SILVERMAN  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
BANK ACCOUNT	1129-000	3,000.12
CASH REGISTER RECEIPTS	1229-000	213.00
REFUND FROM NATIONAL GRID FOR UTILITIES	1229-000	1,309.78
EARNEST MONIES DEPOSIT - 506(C) CARVEOUT	1229-000	15,000.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$ 19,522.90</b>

<sup>1</sup>The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
NA		NA	NA
<b>TOTAL FUNDS PAID TO DEBTOR &amp; THIRD PARTIES</b>			<b>\$ 0.00</b>

**EXHIBIT 3 – SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	Progressive Credit Union 131 West 33rd St New York, NY 10001		0.00	NA	NA	0.00
	Progressive Credit Union 131 West 33rd St New York, NY 10001		0.00	NA	NA	0.00
	Progressive Credit Union 131 West 33rd St New York, NY 10001		0.00	NA	NA	0.00
000012	PROGRESSIVE CREDIT UNION	4110-000	587,290.30	676,673.35	4,187.31	4,187.31
000006A	DICARLO DISTRIBUTORS INC.	4220-000	154,377.52	53,700.22	53,700.22	0.00
000003A	IRS	4300-000	11,058.17	16,243.19	16,243.19	0.00
<b>TOTAL SECURED CLAIMS</b>			<b>\$ 752,725.99</b>	<b>\$ 746,616.76</b>	<b>\$ 74,130.72</b>	<b>\$ 4,187.31</b>

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
TRUSTEE COMPENSATION:KENNETH P. SILVERMAN, ESQ.	2100-000	NA	1,130.73	1,130.73	1,130.73
SILVERMANACAMPORA LLP	2300-000	NA	15.59	15.59	15.59

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
EMPIRE NATIONAL BANK	2600-000	NA	320.00	320.00	320.00
SUZANNE BRIENZA ESQ	2690-000	NA	4,721.02	0.00	0.00
UNITED STATES TRUSTEE EDNY	2950-000	NA	1,298.50	1,298.50	1,298.50
GREAT AMERICAN BROKERAGE INC.	2990-000	NA	1,100.00	1,100.00	1,100.00
ATTORNEY FOR TRUSTEE FEES (OTHER FIRM):SILVERMAN ACAMPORA LLP	3210-000	NA	3,620.77	3,620.77	3,620.77
ACCOUNTANT FOR TRUSTEE FEES (OTHER FIRM):PRAGER METIS CPAS LLC	3410-000	NA	350.00	350.00	350.00
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		<b>\$ NA</b>	<b>\$ 12,556.61</b>	<b>\$ 7,835.59</b>	<b>\$ 7,835.59</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
OTHER PRIOR CHAPTER PROFESSIONAL FEES: RUSKIN MOSCOU FALTISCHEK, P.C.	6700-000	NA	54,883.22	54,883.22	0.00
NEW YORK STATE DEPARTMENT OF TAXATI	6820-000	NA	239.19	239.19	0.00
CHAROS PROPERTIES, LLC	6920-000	NA	28,514.15	28,514.15	0.00

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		\$ NA	\$ 83,636.56	\$ 83,636.56	\$ 0.00

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
000003B	IRS	5800-000	504.54	619.28	619.28	31.84
	NEW YORK STATE					
000002A	DEPARTMENT OF TAXATI	5800-000	NA	145,238.57	145,238.57	7,468.16
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			<b>\$ 504.54</b>	<b>\$ 145,857.85</b>	<b>\$ 145,857.85</b>	<b>\$ 7,500.00</b>

**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	Clare Rose Inc. 255 Pinelawn Drive Melville, NY 11747		1,423.40	NA	NA	0.00
	GT FOOD SERVICE 85K Hoffman Lane Islandia, NY 11749		50,555.89	NA	NA	0.00

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	Janowski's Hamburgers 15 South Long Beach Road Rockville Centre, NY 11570		6,000.00	NA	NA	0.00
	Maggio Sanitation 88 Old Dock Rd. Yaphank, NY 11980		1,169.76	NA	NA	0.00
	OPTIMUM 200 Jericho Quadrangle Jericho, NY 11753		311.13	NA	NA	0.00
	PSEGLI PO Box 888 Hicksville, NY 11802		3,549.79	NA	NA	0.00
	Restaurant Depot 1335 Lakeland Ave Bohemia, NY 11716		12,670.00	NA	NA	0.00
	Royal Wine Merchants 13 South William St New York, NY 10004		133.23	NA	NA	0.00
000009B	CHAROS PROPERTIES LLC	7100-000	274,903.78	532,837.99	532,837.99	0.00
000006B	DICARLO DISTRIBUTORS INC.	7100-000	NA	108,899.80	108,899.80	0.00
000001	EMPIRE MERCHANTS	7100-000	1,862.23	1,862.23	1,862.23	0.00
000003C	IRS	7100-000	NA	980.88	980.88	0.00

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
000007	METROPOLITAN FOODS,	7100-000	26,953.91	22,644.69	0.00	0.00
000008	METROPOLITAN FOODS,	7100-000	NA	22,644.69	22,644.69	0.00
000013	NATIONAL GRID	7100-000	NA	6,490.37	6,490.37	0.00
000004	NATIONAL GRID1	7100-000	6,849.39	6,069.92	6,069.92	0.00
000002B	NEW YORK STATE DEPARTMENT OF TAXATI	7100-000	NA	37,228.46	37,228.46	0.00
000014	PSEG LI	7100-000	NA	18,771.01	18,771.01	0.00
000005	PSEG LONG ISLAND	7100-000	12,747.58	18,771.01	18,771.01	0.00
000017	US FOODS, INC.	7100-000	29,331.21	30,130.07	30,130.07	0.00
000018	AMTRUST NORTH AMERICA, INC.	7200-000	NA	1,421.00	1,421.00	0.00
000019	CATHERINE OROFINO	7200-000	NA	225,000.00	225,000.00	0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			<b>\$ 428,461.30</b>	<b>\$ 1,033,752.12</b>	<b>\$ 1,011,107.43</b>	<b>\$ 0.00</b>



**010117**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1  
Exhibit 8

Case No: 14-75577 RG Judge: ROBERT E. GROSSMAN  
Case Name: HAMPTON BAY DINER CORP.

Trustee Name: KENNETH P. SILVERMAN  
Date Filed (f) or Converted (c): 07/13/15 (c)  
341(a) Meeting Date: 08/11/15  
Claims Bar Date: 06/13/16

For Period Ending: 09/23/19

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. BANK ACCOUNT	2,360.10	3,000.12		3,000.12	FA
2. UNLIQUIDATED CLAIMS	Unknown	0.00	OA	0.00	FA
3. INTANGIBLE ASSETS	13,606.00	13,606.00	OA	0.00	FA
Notice of Abandonment of Diner and Assets associated therein - Doc. No. 112					
4. OFFICE EQUIPMENT	1,500.00	1,500.00	OA	0.00	FA
5. MACHINERY AND FIXTURES	17,560.62	17,560.62	OA	0.00	FA
6. INVENTORY	17,500.00	17,500.00	OA	0.00	FA
7. PORTABLE STRUCTURE DINER BUILDING	541,571.01	541,571.01	OA	0.00	FA
8. CASH REGISTER RECEIPTS (u)	0.00	213.00		213.00	FA
9. REFUND FROM NATIONAL GRID FOR UTILITIES (u)	0.00	1,309.78		1,309.78	FA
10. EARNEST MONIES DEPOSIT - 506(C) CARVEOUT (u)	0.00	15,000.00		15,000.00	FA

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$594,097.73	\$611,260.53	\$19,522.90	\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

The Trustee expects to close this case on or before March 31, 2019. The Trustee held this matter open to investigate the (i) possible sale of the diner business and (ii) a potential claim against the Town of South Hampton. The Trustee inspected the Debtor's premises and arranged a cleanup and removal of perishables. Great American Brokerage Inc. was retained as broker to market and sell the Debtor's business. The Trustee negotiated a carve-out with the secured lender for \$15,000, and obtained Court approval of same. The Trustee determined that the continued pursuit of claims against the Town of South Hampton would not be beneficial for the creditors of this estate. The Trustee is analyzing

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**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
ASSET CASES**

Page: 2  
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341(a) Meeting Date: 08/11/15  
Claims Bar Date: 06/13/16

claims and preparing to close this case.

Initial Projected Date of Final Report (TFR): 12/31/16

Current Projected Date of Final Report (TFR): 03/31/19

## FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 1  
Exhibit 9Case No: 14-75577 -RG  
Case Name: HAMPTON BAY DINER CORP.Trustee Name: KENNETH P. SILVERMAN  
Bank Name: EMPIRE NATIONAL BANK  
Account Number / CD #: \*\*\*\*\*5247 MAIN CHECKING ACCTTaxpayer ID No: \*\*\*\*\*6480  
For Period Ending: 09/23/19Blanket Bond (per case limit): \$ 62,289,805.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
07/24/15	1	SUFFOLK COUNTY NATIONAL BANK O/B/O DEBTOR HAMPTON BAY DINER CORP.	T/O OF DIP ACCOUNT BALANCE	1129-000	3,000.12		3,000.12
07/24/15	8	SILVERMANACAMPORA LLP IOLA FOR HAMPTON BAY DINER CORP.	T/O OF CASH RECEIPTS FROM LOCATION	1229-000	213.00		3,213.12
08/03/15		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	3,203.12
09/01/15		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	3,193.12
09/29/15	9	NATIONAL GRID	REFUND FROM UTILITIES	1229-000	1,309.78		4,502.90
10/01/15		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,492.90
11/02/15		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,482.90
12/01/15		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,472.90
01/04/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,462.90
01/05/16	000100	SILVERMANACAMPORA LLP	REIMBURSEMENT OF TRUSTEE'S	2300-000		1.71	4,461.19
			BOND PREMIUM FOR PERIOD 1/1/16-1/1/17				
02/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,451.19
03/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,441.19
04/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,431.19
05/02/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,421.19
06/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,411.19
07/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,401.19
08/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,391.19
09/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,381.19
10/03/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,371.19
11/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,361.19
12/01/16		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,351.19
12/22/16	000101	SILVERMANACAMPORA LLP	REIMBURSEMENT OF TRUSTEE'S	2300-000		1.33	4,349.86
			BOND PREMIUM FOR PERIOD 1/1/17-12/31/17				
01/03/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,339.86
02/01/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,329.86

Page Subtotals 4,522.90 193.04

## FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 2

Exhibit 9

Case No: 14-75577 -RG  
Case Name: HAMPTON BAY DINER CORP.

Trustee Name: KENNETH P. SILVERMAN  
Bank Name: EMPIRE NATIONAL BANK  
Account Number / CD #: \*\*\*\*\*5247 MAIN CHECKING ACCT

Taxpayer ID No: \*\*\*\*\*6480

For Period Ending: 09/23/19

Blanket Bond (per case limit): \$ 62,289,805.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
03/01/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,319.86
04/03/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,309.86
05/01/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,299.86
06/01/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,289.86
07/03/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,279.86
08/01/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,269.86
09/01/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,259.86
10/02/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,249.86
11/01/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,239.86
12/01/17		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,229.86
01/02/18	000102	SILVERMANACAMPORA LLP	TRUSTEE'S BOND PREMIUM	2300-000		1.27	4,228.59
			BOND NO. 016027942 FOR PERIOD 1/1/18-1/1/19				
01/02/18		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,218.59
02/01/18		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,208.59
03/01/18		EMPIRE NATIONAL BANK	BANK SERVICE FEE	2600-000		10.00	4,198.59
09/14/18		Transfer from Acct #*****0198	Bank Funds Transfer	9999-000	15,000.00		19,198.59
			PER ORDER DATED 8/2/18				
01/04/19	000103	SILVERMANACAMPORA LLP	REIMBURSEMENT OF TRUSTEE'S	2300-000		11.28	19,187.31
			BOND PREMIUM FOR PERIOD 1/1/19-1/1/20				
09/03/19	000104	KENNETH P. SILVERMAN, ESQ.	Chapter 7 Compensation/Fees	2100-000		1,130.73	18,056.58
09/03/19	000105	UNITED STATES TRUSTEE EDNY	FINAL DISTRIBUTION	2950-000		1,298.50	16,758.08
		CENTRAL ISLIP DIVISION					
		LONG ISLAND FEDERAL COURTHOUSE					
		560 FEDERAL PLAZA					
		CENTRAL ISLIP, NY 11722					
09/03/19	000106	GREAT AMERICAN BROKERAGE INC.	FINAL DISTRIBUTION	2990-000		1,100.00	15,658.08
		100 West Park Avenue, Suite 309					
		Long Beach, NY 11561					
09/03/19	000107	SILVERMANACAMPORA LLP	FINAL DISTRIBUTION	3210-000		3,620.77	12,037.31

Page Subtotals

15,000.00

7,292.55

## FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

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Exhibit 9

Case No: 14-75577 -RG  
Case Name: HAMPTON BAY DINER CORP.

Trustee Name: KENNETH P. SILVERMAN  
Bank Name: EMPIRE NATIONAL BANK  
Account Number / CD #: \*\*\*\*\*5247 MAIN CHECKING ACCT

Taxpayer ID No: \*\*\*\*\*6480  
For Period Ending: 09/23/19

Blanket Bond (per case limit): \$ 62,289,805.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
09/03/19	000108	100 JERICHO QUADRANGLE, STE 300 JERICHO, NY 11753 PRAGER METIS CPAS LLC	FINAL DISTRIBUTION	3410-000		350.00	11,687.31
09/03/19	000109	401 HACKENSACK AVENUE, 4TH FLOOR HACKENSACK, NJ 07601 PROGRESSIVE CREDIT UNION	FINAL DISTRIBUTION	4110-000		4,187.31	7,500.00
09/03/19	000110	C/O PLATZER, SWERGOLD ET AL. 475 PARK AVENUE SOUTH, 18TH FLOOR NEW YORK, NY 10016 ATTN: CLIFFORD A. KATZ, ESQ.	FINAL DISTRIBUTION	5800-000		31.84	7,468.16
09/03/19	000111	IRS 2970 MARKET ST. PHILADELPHIA, PA 19104 NEW YORK STATE DEPARTMENT OF TAXATION & FINANCE BANKRUPTCY SECTION P O BOX 5300 ALBANY NEW YORK 12205-0300	FINAL DISTRIBUTION	5800-000		7,468.16	0.00

COLUMN TOTALS	19,522.90	19,522.90	0.00
Less: Bank Transfers/CD's	15,000.00	0.00	
Subtotal	4,522.90	19,522.90	
Less: Payments to Debtors		0.00	
Net	4,522.90	19,522.90	

Page Subtotals 0.00 12,037.31

## FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 4

Exhibit 9

Case No: 14-75577 -RG  
Case Name: HAMPTON BAY DINER CORP.

Trustee Name: KENNETH P. SILVERMAN  
Bank Name: EMPIRE NATIONAL BANK  
Account Number / CD #: \*\*\*\*\*0198 EARNST MONIES ACCOUNT

Taxpayer ID No: \*\*\*\*\*6480  
For Period Ending: 09/23/19

Blanket Bond (per case limit): \$ 62,289,805.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
03/15/18	10	PROGRESSIVE CREDIT UNION	BALANCE FORWARD 506(C) CARVE OUT PAYOUT AS CARVE OUT PER CONVERSION ORDER DATED 7/13/15 AND A NEGOTIATED AGREEMENT	1229-000	15,000.00		0.00 15,000.00
09/14/18		Transfer to Acct #*****5247	Bank Funds Transfer PER ORDER DATED 8/2/18	9999-000		15,000.00	0.00

COLUMN TOTALS	15,000.00	15,000.00	0.00
Less: Bank Transfers/CD's	0.00	15,000.00	
Subtotal	15,000.00	0.00	
Less: Payments to Debtors		0.00	
Net	15,000.00	0.00	

	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
TOTAL - ALL ACCOUNTS			
MAIN CHECKING ACCT - *****5247	4,522.90	19,522.90	0.00
EARNST MONIES ACCOUNT - *****0198	15,000.00	0.00	0.00
	19,522.90	19,522.90	0.00
	(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 15,000.00 15,000.00